

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:19-cv-01230-JEB**

BALL v. UNITED STATES MARSHAL SERVICE et al
Assigned to: Judge James E. Boasberg
Cause: 05:552 Freedom of Information Act

Date Filed: 04/26/2019
Jury Demand: None
Nature of Suit: 550 Prisoner Petition: Civil Rights (Other)
Jurisdiction: U.S. Government Defendant

Plaintiff

WILLIAM B. BALL

represented by **WILLIAM B. BALL**
R#70048-018
COLEMAN LOW
FEDERAL CORRECTIONAL
INSTITUTION
Inmate Mail/Parcels
P.O. BOX 1031
COLEMAN, FL 33521
PRO SE

V.

Defendant

**UNITED STATES MARSHAL
SERVICE**

represented by **April Denise Seabrook**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
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Defendant

**DEPARTMENT OF HOMELAND
SECURITY**

represented by **April Denise Seabrook**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Paul Cirino
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

UNITED STATES SECRET SERVICE
TERMINATED: 03/06/2020

represented by **April Denise Seabrook**
(See above for address)

*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Defendant

**FEDERAL BUREAU OF
INVESTIGATION**
TERMINATED: 03/06/2020

represented by **April Denise Seabrook**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Defendant

**OFFICE OF INTELLIGENCE AND
ANALYSIS**

represented by **April Denise Seabrook**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Paul Cirino
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
04/26/2019		Initiating Pleading & IFP Application Received on 04/26/2019. A copy of the docket sheet has been mailed to the address of record for the pro se party. (zsb) (Entered: 04/29/2019)
04/26/2019	<u>1</u>	COMPLAINT against DEPARTMENT OF HOMELAND SECURITY, FEDERAL BUREAU OF INVESTIGATION, OFFICE OF INTELLIGENCE AND ANALYSIS, UNITED STATES MARSHAL SERVICE, UNITED STATES SECRET SERVICE filed by WILLIAM B. BALL. (Attachment: # <u>1</u> Summons)(zsb) (Entered: 04/29/2019)
04/26/2019	<u>2</u>	MOTION for Leave to Proceed in forma pauperis by WILLIAM B. BALL (zsb) (Entered: 04/29/2019)
05/08/2019	<u>3</u>	PRO SE ORDER directing within 30 days of this Order, unless an extension of time is granted, plaintiff to provide a six month trust fund prisoner account statement and failure to comply will result in dismissal of case. Plaintiff shall provide the requested information specific within this order. Pro Se party has been notified by first class mail. Signed by Judge Colleen Kollar-Kotelly on 5/7/2019. (zrdj) (Entered: 05/09/2019)
05/20/2019	<u>4</u>	PARTIAL PRISONER TRUST FUND ACCOUNT STATEMENT by WILLIAM B. BALL (zrdj) (Entered: 05/22/2019)
06/10/2019	<u>5</u>	ORDER directing an initial partial filing fee in the amount of \$273.90 from Prison Account of WILLIAM B. BALL and granting MOTION for Leave to Proceed In Forma Pauperis (see order for full details). Pro Se party has been notified by first class mail. Signed by Judge James E. Boasberg on 06/07/2019. (zsb) (Entered: 06/13/2019)
06/13/2019		Case Assigned to Judge James E. Boasberg. (zsb) (Entered: 06/13/2019)
06/13/2019		MINUTE ORDER: The Court ORDERS that the Clerk shall direct the USMS to perform service on Defendants. So ORDERED by Judge James E. Boasberg on 6/13/2019. (lcjeb2) (Entered: 06/13/2019)
06/19/2019	<u>6</u>	SUMMONS (7) Issued as to DEPARTMENT OF HOMELAND SECURITY, FEDERAL BUREAU OF INVESTIGATION, OFFICE OF INTELLIGENCE AND ANALYSIS, UNITED STATES MARSHAL SERVICE, UNITED STATES SECRET SERVICE, U.S. Attorney and U.S. Attorney General (zeg) (Entered: 06/19/2019)
07/09/2019	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 6/21/2019. Answer due for ALL FEDERAL DEFENDANTS by 7/21/2019. (ztd) (Entered: 07/12/2019)

07/15/2019	<u>8</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 7/2/2019. RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. DEPARTMENT OF HOMELAND SECURITY served on 7/2/2019 (tth) (Entered: 07/17/2019)
07/19/2019	<u>9</u>	MOTION for Extension of Time to File Answer re <u>1</u> Complaint by DEPARTMENT OF HOMELAND SECURITY, FEDERAL BUREAU OF INVESTIGATION, OFFICE OF INTELLIGENCE AND ANALYSIS, UNITED STATES MARSHAL SERVICE, UNITED STATES SECRET SERVICE (Seabrook, April) (Entered: 07/19/2019)
07/19/2019		MINUTE ORDER GRANTING Defendants' <u>9</u> Motion for Extension of Time to Answer. The Court ORDERS that Defendants shall file their Answer or otherwise respond to Plaintiff's Complaint by August 22, 2019. So ORDERED by Judge James E. Boasberg on 7/19/2019. (lcjeb2) (Entered: 07/19/2019)
07/19/2019		Set/Reset Deadlines: Responses due by 8/22/2019. (znbn) (Entered: 07/19/2019)
08/20/2019	<u>11</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. FEDERAL BUREAU OF INVESTIGATION served on 8/19/2019; OFFICE OF INTELLIGENCE AND ANALYSIS served on 8/19/2019; UNITED STATES SECRET SERVICE served on 8/19/2019 (ztth) (Entered: 08/26/2019)
08/21/2019	<u>10</u>	MOTION for Extension of Time to File Answer re <u>1</u> Complaint by DEPARTMENT OF HOMELAND SECURITY, FEDERAL BUREAU OF INVESTIGATION, OFFICE OF INTELLIGENCE AND ANALYSIS, UNITED STATES MARSHAL SERVICE, UNITED STATES SECRET SERVICE (Seabrook, April) (Entered: 08/21/2019)
08/22/2019		MINUTE ORDER GRANTING Defendants' <u>10</u> Motion for Extension of Time to Answer. The Court ORDERS that Defendants shall file their Answer or otherwise respond to Plaintiff's Complaint by September 25, 2019. So ORDERED by Judge James E. Boasberg on 08/22/2019. (lcjeb2) (Entered: 08/22/2019)
08/22/2019		Set/Reset Deadlines: Answer due by 9/25/2019. (znbn) (Entered: 08/22/2019)
09/24/2019	<u>12</u>	MOTION to Dismiss , MOTION for Summary Judgment by DEPARTMENT OF HOMELAND SECURITY, FEDERAL BUREAU OF INVESTIGATION, OFFICE OF INTELLIGENCE AND ANALYSIS, UNITED STATES MARSHAL SERVICE, UNITED STATES SECRET SERVICE (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Memorandum in Support, # <u>3</u> Declaration Tyrell (USSS), # <u>4</u> Declaration Hardy (FBI))(Seabrook, April) (Entered: 09/24/2019)
09/24/2019	<u>13</u>	ORDER DIRECTING Plaintiff to respond to Defendants' <u>12</u> Motion to Dismiss or for Summary Judgment no later than October 24, 2019. Signed by Judge James E. Boasberg on 09/24/2019. (lcjeb2) (Entered: 09/24/2019)
09/24/2019		Set/Reset Deadlines: Response to Dispositive Motions due by 10/24/2019. (lsj) (Entered: 09/24/2019)
10/25/2019	<u>14</u>	RESPONSE re <u>12</u> MOTION to Dismiss MOTION for Summary Judgment filed by WILLIAM B. BALL. (ztd) (Entered: 10/29/2019)
10/31/2019	<u>15</u>	MOTION for Extension of Time to File Response/Reply as to <u>12</u> MOTION to Dismiss MOTION for Summary Judgment by DEPARTMENT OF HOMELAND SECURITY, FEDERAL BUREAU OF INVESTIGATION, OFFICE OF INTELLIGENCE AND ANALYSIS, UNITED STATES MARSHAL SERVICE, UNITED STATES SECRET SERVICE (Seabrook, April) (Entered: 10/31/2019)
10/31/2019		MINUTE ORDER GRANTING Defendants' <u>15</u> Motion for Extension of Time. The Court ORDERS that Defendants shall file their reply by November 19, 2019. So ORDERED by Judge James E. Boasberg on 10/31/2019. (lcjeb2) (Entered: 10/31/2019)
10/31/2019		Set/Reset Deadlines: Replies due by 11/19/2019. (nbn) (Entered: 11/01/2019)
11/19/2019	<u>16</u>	MOTION to Amend/Correct Set/Reset Deadlines , MOTION for Leave to File AN AMENDED MEMORANDUM OF POINTS AND AUTHORITIES by DEPARTMENT

		OF HOMELAND SECURITY, FEDERAL BUREAU OF INVESTIGATION, OFFICE OF INTELLIGENCE AND ANALYSIS, UNITED STATES MARSHAL SERVICE, UNITED STATES SECRET SERVICE (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Text of Proposed Order, # <u>3</u> Exhibit A – Amended Memo of Law)(Seabrook, April) (Entered: 11/19/2019)
11/19/2019		MINUTE ORDER: The Court ORDERS that: 1) Defendants' <u>16</u> Motion is GRANTED; 2) Defendants' Amended Memorandum of Points and Authorities is deemed FILED; and 3) <i>Pro se</i> Plaintiff shall file his opposition to the Amended Memorandum by December 10, 2019. So ORDERED by Judge James E. Boasberg on 11/19/2019. (lcjeb2) (Entered: 11/19/2019)
11/19/2019		Set/Reset Deadlines: Opposition due by 12/10/2019. (znbn) (Entered: 11/20/2019)
11/19/2019	<u>17</u>	AMENDED MEMORANDUM re <u>12</u> MOTION to Dismiss MOTION for Summary Judgment filed by OFFICE OF INTELLIGENCE AND ANALYSIS, UNITED STATES MARSHAL SERVICE, UNITED STATES SECRET SERVICE, DEPARTMENT OF HOMELAND SECURITY, FEDERAL BUREAU OF INVESTIGATION by DEPARTMENT OF HOMELAND SECURITY, FEDERAL BUREAU OF INVESTIGATION, OFFICE OF INTELLIGENCE AND ANALYSIS, UNITED STATES MARSHAL SERVICE, UNITED STATES SECRET SERVICE. (ztth) (Entered: 11/25/2019)
12/02/2019	<u>18</u>	MOTION for Extension of Time to File Response/Reply as to <u>12</u> MOTION to Dismiss MOTION for Summary Judgment by WILLIAM B. BALL. (ztth) (Entered: 12/05/2019)
12/04/2019		Set/Reset Deadlines: Plaintiff opposition due by 1/24/2020. (nbn) (Entered: 12/06/2019)
12/05/2019		MINUTE ORDER GRANTING Plaintiff's <u>18</u> Motion for Extension of Time. The Court ORDERS that Plaintiff shall file his opposition to Defendants' <u>12</u> and <u>17</u> Motion to Dismiss by January 24, 2020. So ORDERED by Judge James E. Boasberg on 12/5/2019. (lcjeb2) (Entered: 12/05/2019)
01/27/2020	<u>19</u>	(AMENDED) RESPONSE re <u>12</u> MOTION to Dismiss, MOTION for Summary Judgment filed by WILLIAM B. BALL. (ztth) (Entered: 01/30/2020)
02/05/2020	<u>20</u>	MOTION for Extension of Time to File Response/Reply as to <u>12</u> MOTION to Dismiss MOTION for Summary Judgment by DEPARTMENT OF HOMELAND SECURITY, FEDERAL BUREAU OF INVESTIGATION, OFFICE OF INTELLIGENCE AND ANALYSIS, UNITED STATES MARSHAL SERVICE, UNITED STATES SECRET SERVICE (Seabrook, April) (Entered: 02/05/2020)
02/06/2020		MINUTE ORDER GRANTING Defendants' <u>20</u> Motion for Extension of Time. The Court ORDERS that Defendants shall file their reply by February 27, 2020. So ORDERED by Judge James E. Boasberg on 2/6/2020. (lcjeb2) (Entered: 02/06/2020)
02/06/2020		Set/Reset Deadlines: Replies due by 2/27/2020. (znbn) (Entered: 02/06/2020)
02/26/2020	<u>21</u>	REPLY to opposition to motion re <u>12</u> MOTION to Dismiss MOTION for Summary Judgment filed by DEPARTMENT OF HOMELAND SECURITY, FEDERAL BUREAU OF INVESTIGATION, OFFICE OF INTELLIGENCE AND ANALYSIS, UNITED STATES MARSHAL SERVICE, UNITED STATES SECRET SERVICE. (Seabrook, April) (Entered: 02/26/2020)
03/06/2020	<u>22</u>	ORDER GRANTING Defendants' <u>12</u> Motion to Dismiss. The Court ORDERS that: 1) Defendants FBI and USSS are DISMISSED WITHOUT PREJUDICE; and 2) The parties shall each submit a status report with proposed next steps in the case by March 20, 2020. Signed by Judge James E. Boasberg on 3/6/2020. (lcjeb2) (Entered: 03/06/2020)
03/06/2020	<u>23</u>	MEMORANDUM OPINION re <u>22</u> Order on Motion to Dismiss. Signed by Judge James E. Boasberg on 3/6/2020. (lcjeb2) (Entered: 03/06/2020)
03/09/2020	<u>24</u>	MOTION for Leave to File Sur–Reply by WILLIAM B. BALL. (ztth) (Entered: 03/12/2020)

03/12/2020		MINUTE ORDER DENYING AS MOOT Plaintiff's <u>24</u> Motion for Leave to File Sur-Reply. So ORDERED by Judge James E. Boasberg on 3/12/2020. (lcjeb2) (Entered: 03/12/2020)
03/13/2020	<u>25</u>	NOTICE of Appearance by Paul Cirino on behalf of All Defendants (Cirino, Paul) (Entered: 03/13/2020)
03/20/2020	<u>26</u>	ANSWER to <u>1</u> Complaint by DEPARTMENT OF HOMELAND SECURITY, OFFICE OF INTELLIGENCE AND ANALYSIS, UNITED STATES MARSHAL SERVICE.(Cirino, Paul) (Entered: 03/20/2020)
03/20/2020	<u>27</u>	STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, OFFICE OF INTELLIGENCE AND ANALYSIS, UNITED STATES MARSHAL SERVICE. (Attachments: # <u>1</u> Text of Proposed Order)(Cirino, Paul) (Entered: 03/20/2020)
03/20/2020		MINUTE ORDER ADOPTING Defendants' <u>27</u> Joint Status Report. The Court ORDERS that, within 45 days, Plaintiff shall notify the Court and Defendants whether he is challenging: (1) the adequacy of USMS's and DHS's searches for records responsive to his FOIA requests; (2) DHS's withholdings and, if so, which withholdings Plaintiff claims to be improper; and/or (3) Treasury's final response. So ORDERED by Judge James E. Boasberg on 3/20/2020. (lcjeb3) (Entered: 03/20/2020)
05/04/2020	<u>28</u>	NOTICE by WILLIAM B. BALL. (ztth) (Entered: 05/06/2020)
05/06/2020		MINUTE ORDER: The Court ORDERS that Defendants shall submit a proposed briefing schedule by May 20, 2020. So ORDERED by Judge James E. Boasberg on 5/6/2020. (lcjeb2) (Entered: 05/06/2020)
05/06/2020		Set/Reset Deadlines: Proposed Briefing Schedule due by 5/20/2020. (znbn) (Entered: 05/08/2020)
05/20/2020	<u>29</u>	PROPOSED BRIEFING SCHEDULE by DEPARTMENT OF HOMELAND SECURITY, OFFICE OF INTELLIGENCE AND ANALYSIS, UNITED STATES MARSHAL SERVICE. (Cirino, Paul) (Entered: 05/20/2020)
05/20/2020		MINUTE ORDER: The Court ADOPTS the Defendants' <u>29</u> Proposed Briefing Schedule and ORDERS that: 1) Defendants motion for summary judgment shall be due on July 3, 2020; 2) Plaintiffs cross-motion for summary judgment and opposition to Defendants motion for summary judgment shall be due on September 1, 2020; 3) Defendants reply and opposition to Plaintiffs cross-motion for summary judgment shall be due on September 30, 2020; and 4) Plaintiffs reply shall be due on November 28, 2020. So ORDERED by Judge James E. Boasberg on 5/20/2020. (lcjeb2) (Entered: 05/20/2020)
05/20/2020		Set/Reset Deadlines: Summary Judgment motions due by 7/3/2020. Response to Motion for Summary Judgment due by 9/1/2020. Cross Motions due by 9/1/2020. Reply to Motion for Summary Judgment due by 9/30/2020. Response to Cross Motions due by 9/30/2020. Reply to Cross Motions due by 11/28/2020. (znbn) (Entered: 05/22/2020)
07/02/2020	<u>30</u>	MOTION for Summary Judgment by DEPARTMENT OF HOMELAND SECURITY, OFFICE OF INTELLIGENCE AND ANALYSIS, UNITED STATES MARSHAL SERVICE (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Statement of Facts, # <u>3</u> Declaration of Toni Fuentes (w/ Exhibits 1-3), # <u>4</u> Declaration of Charlotte Luckstone (w/ Exhibits 1-3), # <u>5</u> Declaration of Michael Neufeld (w/ Exhibits 1-3), # <u>6</u> Text of Proposed Order)(Cirino, Paul) (Entered: 07/02/2020)
07/06/2020	<u>31</u>	ORDER DIRECTING Plaintiff to respond to Defendant's <u>30</u> Motion for Summary Judgment no later than August 3, 2020. Signed by Judge James E. Boasberg on 7/6/2020. (lcjeb1) (Entered: 07/06/2020)